

GOVERNMENT OF ANDHRA PRADESH
A B S R A C T

Social Welfare Department – Land Acquisition for House Sites – Kurnool District – Alur Village & Mandal - Land Acquired for provision of house sites to the weaker section people – Sanction of Rs.3,25,283/- towards balance decretal charges in LAAS No.1823/2003 in O.P No.50/2000 – Orders - Issued.

SOCIAL WELFARE (LA.2) DEPARTMENT

G.O Rt.No. 455

Dated: 25.06.2013

Read the following

1. From the Dist Collector, Kurnool Lr.Rc.H.10/2009, dated 08.11.2010.
2. From the CSW Lr.No.LA4/12080/2010, dated 18.12.2010.
3. From the Spl CS&CCLA, A.P., Hyd Lr.No.G4/2370/2010, dated 09.08.2011.
4. From the Dist Collector, Kurnool Lr.Rc.H.10/2009, dated 21.01.2012
5. Govt Memo.No.12507/SW.LA-2/2011, dt. 14.3.2012
6. From the Spl CS&CCLA, A.P., Hyderabad Lr.No.S2/661/2011, dt 15.4.2013.

ORDER:

In the reference 3rd read above, the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has informed that the the LAO/RDO, Adoni has acquired land to an extent of Ac.4-24 Cts in Sy.No. 638 & 639 situated at Alur Village & Mandal by passing Award Procs No.13/HS/97, dated 03.01.1998 duly fixing the Market Value @ Rs.7,000/- per acre. On reference made U/s 18 of the L.A Act, the Sr. Civil Judge, Adoni in its orders dated 09.7.2002 in OP.No.50/2000 has enhanced the market value from Rs.7,000/- to Rs.24,000/- per acre. On appeal filed by the LAO/RDO, Adoni in the Hon'ble High Court of AP., in AS.No.1823/2003, the Hon'ble A.P., High Court in its orders dated 12.7.2007 has dismissed the said A.S, duly confirming the orders of Lower Court. The Government Pleader for Appeals A.P., High Court vide his Lr dated 23.01.2008 has opined that it is not a fit case to prefer any further appeal to Hon'ble Supreme Court of India and advised to comply with the judgment passed by the Hon'ble High Court immediately without any further delay, so as to avoid payment of exorbitant rate of interest. The District Collector, Kurnool has submitted proposals for release an amount of Rs.2,92,352/- (Interest calculated up to 31.10.2010) towards payment of balance decretal charges in OP.No.50/2000 for the land acquired to an extent of Ac.4-24 Cts in Sy.No.638 & 639 situated at Alur Village & Mandal of Kurnool District for providing house sites to the Weaker Section People.

2. The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad after verification and scrutiny of the proposals/calculation sheet submitted by the District Collector, Kurnool/Commissioner of Social Welfare, A.P., Hyderabad, has sent comparative calculation sheet for sanction of Rs. 2,92,353/- towards payment of balance decretal charges in A.S No.1823/2003 in OP.No.50/2000 for the land acquired to an extent of Ac.4-24 Cts in Sy.No.638 & 639 situated at Alur Village & Mandal of Kurnool Dist for providing house sites to the Weaker Section People. He has further stated that Commissioner of Legal Affairs has opined that LAAS(SR) No.16892/2007 and LAASMP No.2516/2007 filed by the claimant against the orders in OP.No.50/2000 are dismissed by the A.P., High Court, Hyderabad. As such, compensation is payable as per the order of reference court, as confirmed in A.S No.1823/2003 by the High Court. In the mean time in the reference 4th read above, the District Collector, Kurnool has requested the Government for release an amount of Rs.3,10,043/- (interest calculated up to 31.01.2012) to deposit in the Sr. Civil Judge, Court Adoni in OP.No.50/200 so as to avoid sale of movables of RDO's Office, Adoni. Further the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad vide his Lr 6th read above, has stated that the calculation of 15% interest for the period from 01.11.2010 to 31.01.2012 made by the Kurnool has been

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verified. The District Collector, Kurnool has reported that the 15% interest has been calculated on Rs.94,604/- from 30.1.1997 to 31.10.2010 and an amount of Rs.2,92,353/- is arrived for payment to decree holder. But no amount has been released. Now if the same amount of Rs.2,92,353/- has been released by the Government the EP/OP will not be closed and the decree holder will again file the E.P for payment of balance interest from 01.11.2010 to date. The Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has further stated that the District Collector, Kurnool has calculated 15% interest from 01.11.2010 to 31.01.2012 on Rs.94,604/- (455 days) which comes to Rs.3,10,043/-, on which the Special Chief Secretary & Chief Commissioner of Land Administration, A.P., Hyderabad has sent comparative calculations @ 15 % interest calculated up to 28.02.2013 arrived to Rs.3,25,283/- and requested the Government to sanction the said calculated amount towards decretal charges to deposit in the Sr.Civil Judge, Adoni in O.P No.50/2000 for the land acquired to an extent of Ac.4.24 Cts in Sy. No 638 & 639 situated at Alur Village and Mandal of Kurnool District for providing house sites to the weaker sections, as the movable of the RDO's Office, Adoni were attached for realization of decretal amount in the said O.P.

3. Government, after careful examination of the above proposal, hereby accord permission to the Commissioner of Social Welfare, A.P., Hyderabad for release an amount of Rs.3,25,283/- (Rupees three lakh twenty five thousand two hundred and eighty three only) to the District Collector, Kurnool towards payment of the balance decretal charges in A.S No.1823/2000 in O.P No.50/2000 for the land acquired to an extent of Ac.4.24 Cts in Sy. No 638 & 639 situated at Alur Village and Mandal of Kurnool District for providing house sites to the weaker sections people.

4. The expenditure sanctioned in para (3) above shall be met within the BE.2013-14 and debited to the following Head of Account:

"2225-Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes – 01 – Welfare of Scheduled Castes – M.H.283- Housing – G.H.11-Normal State Plan – SH(08) Acquisition of House Sites to weaker sections in Indiramma Programme – 310/312 – Other Grant – in – Aid".

5. The Commissioner of Social Welfare, A.P., Hyderabad is directed to issue necessary Proceedings to the District Collector, Kurnool to comply with the Court orders in A.S No.1823/2000 in O.P No.50/2000.

6. The District Collector, Kurnool shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of the Proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions vide U.O Note No.12869/196/A1/Expr.SW/2009 dated 22.05.2009 and U.O No. 15926/256/A1/1/Expr.SW/09, dated 17.08.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Special Chief Secretary & Chief Commissioner of Land Administration,
A.P., Hyderabad

The Commissioner of Social Welfare, A.P., Hyderabad,
The District Collector, Kurnool

Copy to:

The Director of Treasury & Accounts, A.P., Hyderabad,

The Accountant General, A.P., Hyderabad,

The District Treasury Officer, Kurnool District.

Finance (Exp.SW/BG) Department

SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER